

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting
Tuesday, June 14, 2016 9:00 a.m.
Commissioners' Conference Room
Benton County Courthouse, Prosser, WA

Present: Chairman Shon Small
Commissioner Jerome Delvin
Commissioner James Beaver
County Administrator David Sparks
Clerk of the Board Marilu Flores

Benton County Employees Present During All or a Portion of the Meeting: Deputy Administrator Loretta Smith Kelty; Adam Fyall, Sustainable Development Manager; County Engineer Matt Rasmussen; Assistant County Engineer Robert Blain; Planning Manager Mike Shuttleworth; Clark Posey; RJ Lott, Human Services Administrator Kyle Sullivan; Clerk Josie Delvin; GIS Manager Mary Phillips; Public Services Administrator Fred Bowen; Shyanne Faulconer, Public Relations Coordinator.

Approval of Minutes

The Minutes of June 7, 2016 were approved.

Consent Agenda

MOTION: Commissioner Delvin moved to approve the consent agenda items “a” through “u”. Commissioner Beaver seconded and upon vote, the Board approved the following:

Auditor

- a. Surplus of Personal Property

BOE

- b. Line Item Transfer, Fund No. 0000-101, Dept. 103

Commissioners

- c. Award of Contract for Official County Newspaper to Tri-City Herald
- d. Memorandum of Understanding for the Allocation of Adult Drug Court & Juvenile Drug Court Program Costs

Fairgrounds

- e. Purchase of Crushed Rock from C & E Trenching
- f. Contract w/Total Energy Management for Installation of 2 Gas Packaged Units

Human Services

- g. 2nd Amended Agreement w/Service Alternatives, Inc. for Developmental Disability Services
- h. 2nd Amended Agreement w/Ambitions Community Support Services of WA, Inc. for Developmental Disabilities Services
- i. Amended Agreement w/WA St Dept of Commerce, Community Services & Housing Division

- j. 2nd Amended Agreement w/Goodwill Industries for Developmental Disabilities Services
- k. 1st Amended Agreement w/S Adolphsen for Parent Coalition
- l. 2nd Amended Agreement w/Columbia Industries for Developmental Disabilities Services
- m. 2nd Amended Agreement w/Children’s Developmental Center for Developmental Disabilities Services
- n. 2nd Amended Agreement w/The Arc of Tri-Cities for Developmental Disabilities Services

Information Technology

- o. Purchase of Two Standard Workstations, Laptops & Mobile Printers

Parks

- p. 2nd Amended Contract w/Bauder Grading & Excavation for Irrigation System @ Fairgrounds & Vista Park

Personnel

- q. Contract w/Praetorian Group, Inc. for Online Training Courses
- r. Agreement w/PricewaterhouseCoopers for Review of Workers’ Compensation & Liability Programs
- s. Rescinding Resolution 2016-450, Establishing an Adult Drug Court Coordinator Classification Description & Salary Grade

Public Works

- t. 1st Amended Contract w/Solid Structures for Construction of 3 Storage Sheds
- u. Award of Prosser to Grandview Pedestrian & Bicycle Pathway Improvements to Grade Worx

Public Hearing – Comprehensive Plan Amendment 2016-001

R.J. Lott indicated that an applicant was requesting an amendment to the Benton County Comprehensive Plan to change the land use designation of a 40 acre parcel from “Rural Lands 5 Acres” to “Heavy Industrial” which was held before the Planning Commission on May 10, 2016.

Mr. Lott indicated that it is the Planning Commission’s recommendation to approve CPA 2016-001 to change the land use designation for Parcel #1-2380-400-0006-000, a 40 acre parcel from “Rural Lands 5 Acres” to “Heavy Industrial”.

Commissioner Delvin questioned the activity taking place at that location since 1935 and Mr. Lott indicated that there were some agricultural uses on the parcel which would be allowed as heavy industrial. The Planning Commission responded to two concerns addressed before them.

As there was no one to testify, public testimony was closed.

MOTION: Commissioner Beaver moved to adopt the Comprehensive Plan Amendment Application #CPA 2016-001 and approve changing Land Use Maps 4.0 and 4.6 from Rural Lands 5 to Heavy Industrial and that the Board adopt the Planning Commission’s findings of fact and conclusions. Commissioner Delvin seconded and upon vote, the motion carried.

Public Hearing - Zone Change ZC 2016-001

On May 10, 2016, the Benton County Planning Commission conducted an open records hearing requesting to change the zoning classification of a portion of Section 23 of Township 8 North, Range 30 East, from Rural Lands 5 to Heavy Industrial.

After reviewing the information presented at the public meeting, the Planning staff recommends that the Board adopt the Planning Commission's recommendation, Findings and Conclusions, and approve the proposed zone change.

As there was no one to testify, public testimony was closed.

MOTION: Commissioner Beaver moved to adopt the Planning Commission's recommendation, Findings and Conclusions, as their own and approve the Zone Change Application ZC 2016-001. Commissioner Delvin seconded and upon vote, the motion carried.

Public Hearing – Short Plat Vacation

Mr. R.J. Lott indicated that the Planning Department had received a request for the vacation of a portion of the "T" shaped turnaround easement on Lot 3 on Short Plat 2864.

Mr. Lott said it was the Planning Department's recommendation to approve the proposed vacation of a portion of the "T" shaped turnaround on Lot 3 of Short Plat 2864, conditioned that a licensed surveyor provides a legal description of the portion of the turnaround to be vacated and that it meet the Fire Marshal's requirements.

As there was no one to testify; public testimony was closed.

MOTION: Commissioner Beaver moved to approve the vacation of a portion of the "T" shaped turnaround on Lot 3 of Short Plat 2864, conditioned that the applicants have a licensed surveyor to provide a legal description of the portion of the turnaround to be vacated and that it meet the Fire Marshal's requirements located on Lot 3 of Short Plat 2864, records of Benton County. The additional information would need to be submitted to the Planning Department within one year of the vacation being conditionally approved or this application would be declared null and void. Commissioner Delvin seconded and upon vote, the motion carried.

Scheduled Business

Final Plat of Summit View; SUB 2016-002

Mr. Clark Posey brought forward for review and approval the preliminary plat of Summit View, which created 360 lots from 517 acres. The preliminary plat was originally approved subject to 21 conditions.

Mr. Posey indicated that all conditions had been completed for the Final Plat of Summit View Phases 9 & 10 and satisfied and all signatures had been obtained. It was the recommendation of the Planning Department that the Final Plat of Summit View Phases 9 & 10, SUB 2016-002 be approved.

MOTION: Commissioner Beaver moved to adopt the resolution approving the Final Plat of Summit View Phases 9 & 10, SUB 2016-002. Commissioner Delvin seconded and upon vote, the motion carried.

Road Department Annual Report & Presentation

Mr. Matt Rasmussen and Robert Blain updated the Board on the following:

- **Road Maintenance
- **Design and Construction Management
- **Development and Permitting
- **Fleet Maintenance
- **Asset & Maintenance Management
- **Pits & Quarries
- **Solid Waste Program

Mr. Rasmussen concluded with a budget summary report. He indicated that the biennial budget had been \$37 million. Expenditures for 2015 were \$13.3 million with a balance remaining for 2016 of \$23.7 million.

Unscheduled Visitors

Kyle Sullivan, Human Services Administrator updated the board regarding his attendance last Wednesday (6/18/16) before the Franklin County Board. Mr. Sullivan indicated that Franklin County discussed the proposed comprehensive behavioral health care plan and indicated that an outside attorney had reviewed and responded with additional questions. It was determined that Franklin County would write a letter with their additional questions to Benton County before rendering a decision on the proposed contract with Comprehensive Mental Health.

Mr. Sullivan indicated there were questions regarding the potential for conflict of interest with Mr. Weaver. Commissioner Small said he was under the assumption that those kinds of concerns were addressed during the last bi county meeting.

Commissioner Delvin asked DPA Ryan Brown if the no-compete clause was addressed with language about not having Comprehensive Mental Health. No one had a copy of the contract handy to answer questions on the no-compete clause. Commissioner Delvin suggested DPA Ryan Lukson draft a letter and Ryan Brown said he would have Ryan Lukson contact Franklin County to get specifics.

Commissioner Small emphasized that Franklin County had six weeks to review the contract. County Administrator David Sparks reviewed the minutes of the April 25, 2016 bi county meeting held in Franklin County and said during that meeting, a motion was made approving Mr. Weaver for the implementation of the comprehensive behavioral health care plan.

Commissioner Small asked Mr. Sullivan if there were funds available for Benton County to move forward if Franklin County decided not to sign the contract. Mr. Sullivan affirmed that there were funds.

Commissioner Delvin suggested the Benton County Prosecuting Attorney contact the Franklin County's Prosecuting Attorney to resolve the conflict issue and perhaps if there was not an answer by next week, Benton County would move forward alone.

Other Business

Commissioner Delvin said he went to the Benton City roundabout on Monday, June 13 for the ribbon cutting and would be going to the Columbia Industries dinner this week wherein the Clerk's Office would be receiving an award for their work on their storage project.

Commissioner Delvin brought up last week's discussion regarding banning travel to Seattle and said he recommended sending a resolution stating that Benton County did not support shutting down the Columbia Generating Station.

Commissioner Small raised the transgender bathroom issue. Commissioner Delvin stated that while the schools may be mandated by federal law to take action, he saw no immediate need for Benton County to move forward at this time.

Adam Fyall introduced new employee, Shyanne Faulconer as the Community Programs/Public Relations Coordinator. He said Ms. Faulconer would be working with community service providers, conducting surveys, monitoring contracts, and providing public communications outreach and events planning.

Claim for Damages

CC 2016-10: Received on June 8, 2016 from Brian Edwards.

Resolutions

- 2016 471 Surplus of Personal Property
- 2016 472 Line Item Transfer, Fund No. 0000-101, Dept. 103
- 2016 473 Award of Contract for Official County Newspaper to Tri-City Herald
- 2016 474 Memorandum of Understanding for the Allocation of Adult Drug Court & Juvenile Drug Court Program Costs
- 2016 475 Purchase of Crushed Rock from C & E Trenching
- 2016 476 Contract w/Total Energy Management for Installation of 2 Gas Packaged Units
- 2016 477 2nd Amended Agreement w/Service Alternatives, Inc. for Developmental Disability Services
- 2016 478 2nd Amended Agreement w/Ambitions Community Support Services of WA, Inc. for Developmental Disabilities Services
- 2016 479 Amended Agreement w/WA St Dept of Commerce, Community Services & Housing Division
- 2016 480 2nd Amended Agreement w/Goodwill Industries for Developmental Disabilities Services
- 2016 481 1st Amended Agreement w/S Adolphsen for Parent Coalition
- 2016 482 2nd Amended Agreement w/Columbia Industries for Developmental Disabilities Services
- 2016 483 2nd Amended Agreement w/Children's Developmental Center for Developmental Disabilities Services
- 2016 484 2nd Amended Agreement w/The Arc of Tri-Cities for Developmental Disabilities Services

- 2016 485 Purchase of Two Standard Workstations, Laptops & Mobile Printers
2016 486 2nd Amended Contract w/Bauder Grading & Excavation for Irrigation System @ Fairgrounds & Vista Park
- 2016 487 Contract w/Praetorian Group, Inc. for Online Training Courses
2016 488 Agreement w/PricewaterhouseCoopers for Review of Workers' Compensation & Liability Programs
- 2016 489 Rescinding Resolution 2016-450, Establishing an Adult Drug Court Coordinator Classification Description & Salary Grade
- 2016 490 1st Amended Contract w/Solid Structures for Construction of 3 Storage Sheds
2016 491 Award of Prosser to Grandview Pedestrian & Bicycle Pathway Improvements to Grade Worx
- 2016 492 Amended Comprehensive Plan ~ CPA 2016-001
2016 493 Zone Change ~ ZC 2016-001
2016 494 Final Plat of Summit View Phase 9 & 10; SUB 2016-002

There being no further business before the Board, the meeting adjourned at approximately 9:53 am.

Clerk of the Board

Chairman